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## Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, ruler of history and the nations, we praise You, we adore You, we magnify Your holy Name. May Your presence be felt in our midst today, guiding our thoughts and ordering our steps.

Permit the Members of this body to receive a fresh awareness of who You are and what You desire for them to do. Lord, the challenges they face are so great that they need Your wisdom to meet them. Use our Senators this day so that Your will may be done on Earth as it is done in heaven. Let Your peace come to them as they commit their responsibilities to You and then work with Your guidance and grace.

We pray in Your sacred Name. Amen.

### PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, May 11, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUE,  
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Madam President, following any leader remarks, the Senate will be in a period of morning business until 2 p.m. today. Republicans will control the first 30 minutes and the majority will control the next 30 minutes. Following morning business, the Senate will be in executive session to consider the nomination of Arenda Wright Allen to be U.S. District Judge for the Eastern District of Virginia. So at approximately 3 p.m., we will vote on confirmation of the Allen nomination.

There is a special caucus at the White House this afternoon, so we will close early today. The Republicans will have their meeting at the White House tomorrow.

### MEASURE PLACED ON THE CALENDAR—S. 940

Mr. REID. Madam President, S. 940 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 940) to reduce the Federal budget deficit by closing big oil tax loopholes, and for other purposes.

Mr. REID. Madam President, I object to any further proceedings with respect to this bill at this time.

The ACTING PRESIDENT pro tempore. Objection having been heard, the measure will be placed on the calendar.

### NATIONAL LABOR RELATIONS BOARD

Mr. REID. Madam President, I recognize we are in a partisan environment. In a partisan environment, there is temptation to turn every issue into a political issue. We certainly live in one of those environments today. That is regrettable but far from unfamiliar. Politics play a role in our representative government, of course, and they always have. The Founders created a system of checks and balances—three branches of government, for example, and two Chambers of the Congress—precisely because they anticipated these passions. Our Founding Fathers wanted to keep us from losing our way.

Long after that system was created, a new, independent Federal agency was created in the same spirit of checks and balances. That agency is the National Labor Relations Board and acts as a check on employers and employees alike. It safeguards employees' rights to unionize or not to unionize if they so choose. It mediates allegations of unfair labor practices. It does all this independent of any outside influence.

The Acting General Counsel of the NLRB is a man who is as nonpartisan and as independent as the agency for which he works. Last month, he issued a complaint against one of America's largest companies, Boeing. The complaint alleges that after Boeing workers in some States went on strike, the company retaliated by opening a new production line in a nonunion facility. That kind of retaliation, if that is what happened, is, of course, illegal.

That is just the background. I am not here to judge the merits of the case. In

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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